

D.T.E. 04-29

March 5, 2004

Petition of KeySpan Energy Delivery New England for Approval of its Gas Sales Agreements BP Canada Energy Company and Nexen Marketing pursuant to G.L. c. 164, § 94.

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NOTICE OF FILING AND PUBLIC HEARING

\_\_\_\_\_ KeySpan Energy Delivery New England (“KeySpan” or “Company”) has filed with the Department of Telecommunications and Energy (“Department”) a petition for approval of gas sales agreements with BP Canada and Nexen Marketing and related agency and management service agreements with Northeast Gas Markets, Inc., a KeySpan affiliate. The Company states that the gas sales agreements are intended to replace the volumes currently contracted from EnCana Corporation as approved by the Department in KeySpan Energy Delivery New England, D.T.E. 02-54 (2002)

The Department will conduct a public hearing on Wednesday, March 24, 2004 at 11:30 a.m. at the Department’s office’s, One South Station, 2<sup>nd</sup> Floor, Boston, Massachusetts. The public hearing will be immediately followed by a procedural conference.

A copy of the petition is on file at the Department’s offices, One South Station, Boston, Massachusetts for public view during business hours. Copies are also on file for public view at KeySpan Energy Delivery, 52 Second Avenue, Waltham, Massachusetts. Any person desiring further information regarding the Company’s filing should contact counsel for the Company, Thomas P. O’Neill, Esq., at (781) 466-5186. Any person desiring further information regarding this notice should contact Michael Killion, Hearing Officer, Department of Telecommunications and Energy, at (617) 305-3500.

Any person who wishes to submit written comments may do so by filing an original and four (4) copies of such comments with: Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station, Boston, Massachusetts 02110, no later than the close of business Wednesday, March 24, 2004. One copy must also be sent to Thomas P. O’Neill, Esq., KeySpan Energy Delivery, 52 Second Avenue, Waltham, Massachusetts 02451.

Any person seeking to intervene in this proceeding must file an original and five (5) copies of a written petition for leave to intervene or to participate in this proceeding no later than close of business (5:00 p.m.) March 19, 2004 with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station, Boston, Massachusetts 02110.

A petition to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt by the Department – not mailing – constitutes filing and determines whether a petition is timely filed. A late-filed petition may be disallowed as untimely, unless good cause is shown for waiver. To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10.

All written pleadings or comments must also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dte.efiling@state.ma.us](mailto:dte.efiling@state.ma.us) ; or (2) on a 3.5" floppy diskette, IBM-compatible format. The text of the e-mail or the diskette label must specify: (1) an easily identifiable case caption; (2) docket number; (3) name of the person or company filing; and (4) a brief descriptive title or document (e.g., comments or petition to intervene). The electronic filing should also include the name, title, and phone number of a person to contact in the event of questions about the filing. Text responses should be written in either Word Perfect (naming the document with a “.wpd” suffix) or in Microsoft Word, (naming the document with a “.doc” suffix) or an Adobe PDF file (naming the document with a “.pdf” suffix). Data or spreadsheet responses should be compatible with Microsoft Excel. Documents submitted in electronic format will be posted on the Department’s Website, <http://www.mass.gov/dpu>.

By Order of the Department,

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Mary L. Cottrell, Secretary

